

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

GWENDOLYN GRAY,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:16-CV-48-WKW
)	(WO)
CITY OF MONTGOMERY, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Before the court Plaintiff's motion (Doc. # 51) for a court order of dismissal without prejudice of all claims against Defendant Carmen Douglas. The motion complies with Rule 41(a)(2) of the Federal Rules of Civil Procedure. *See Klay v. United Healthgroup, Inc.*, 376 F.3d 1092, 1106 (11th Cir. 2004) (holding that "Rule 41 allows a plaintiff to dismiss all of his claims against a particular defendant"); *see also Plain Growers, Inc. ex rel. Florists' Mut. Ins. Co. v. Ickes-Braun Glasshouses, Inc.*, 474 F.2d 250, 254 (5th Cir. 1973) ("There is little merit in the argument that the court could not dismiss the action as to [fewer] than all defendants upon motion" under Rule 41(a)(2)); *see also Bonner v. City of Prichard*, 661 F.2d 1206 (11th Cir. 1981) (en banc) (adopting as binding precedent all of the decisions of the former Fifth Circuit handed down prior to the close of business on September 30, 1981).

Upon consideration of the motion, it is ORDERED that the motion (Doc. # 51) is GRANTED, and that all of Plaintiff's claims against Defendant Carmen Douglas are DISMISSED without prejudice, with each party to bear her own costs.

The Clerk of the Court is DIRECTED to terminate Defendant Carmen Douglas as a Defendant to this action.

DONE this 28th day of September, 2017.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE